



**GENERAL INFORMATION, INSTRUCTIONS, AND  
DEFINITIONS FOR COMMISSION PRODUCER,  
IMPORTER, AND PURCHASER QUESTIONNAIRES**

**CERTAIN PRESERVED MUSHROOMS FROM CHILE, CHINA, INDIA,  
AND INDONESIA**

**Investigations Nos. 731-TA-776-779 (Review)**

***Further information.--If you have any questions concerning the enclosed questionnaire(s) or other matters related to these reviews, you may contact the following members of the Commission's staff (Fax 202-205-3205):***

***Christopher J. Cassise, investigator (202-708-5408; E-mail [chris.cassise@usitc.gov](mailto:chris.cassise@usitc.gov))  
regarding general questions and trade and related information;***

***Chand Mehta, auditor (202-205-3174; E-mail [chand.mehta@usitc.gov](mailto:chand.mehta@usitc.gov))  
regarding financial information; and***

***Amelia Preece, economist (202-205-3250; E-mail [amelia.preece@usitc.gov](mailto:amelia.preece@usitc.gov))  
regarding pricing, market, and related information.***

## GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS

### GENERAL INFORMATION

***Background.***--On December 2, 1998, the Department of Commerce issued an antidumping duty order on imports of certain preserved mushrooms from Chile (63 F.R. 66529). On February 19, 1999, the Department of Commerce issued antidumping duty orders on imports of certain preserved mushrooms from China, India, and Indonesia (64 F.R. 8308); the antidumping duty order on imports from the Indonesian firm PT Zeta Agro Corp. was revoked effective February 1, 2002 (67 F.R. 4549). On November 3, 2003, the Commission instituted reviews pursuant to section 751(c) of the Tariff Act of 1930 (19 U.S.C. § 1675(c)) (the Act) to determine whether revocation of the orders would be likely to lead to continuation or recurrence of material injury to the domestic industry within a reasonably foreseeable time (68 F.R. 62322). If the Commission makes affirmative determinations, the orders will remain in place. If the Commission makes negative determinations, the Department of Commerce will revoke the orders.

Additional questionnaires will be supplied promptly upon request, or photocopies of the enclosed questionnaire(s) may be used. Address all correspondence to the United States International Trade Commission, Washington, DC 20436. Hearing-impaired individuals can obtain information regarding these reviews via the Commission's TDD terminal (202-205-1810).

***Due date of questionnaire(s).***--Return the completed questionnaire(s) to the United States International Trade Commission by no later than July 15, 2004. Although the enclosed postpaid envelope may be used to return the completed questionnaire, use of an overnight mail service may be necessary to ensure that your response actually reaches the Commission by July 15, 2004. If you do not use the enclosed envelope, please make sure the completed questionnaire is sent to the attention of Christopher J. Cassise. **Return only one copy of the completed questionnaire(s), but please keep a copy for your records so that you can refer to it if the Commission staff contacts you with any questions during the course of the reviews.**

***Service of questionnaire response(s).***--In the event that your firm is a party to these reviews, you are required to serve a copy of the questionnaire(s), once completed, on parties to the proceeding that are subject to administrative protective order (see 19 CFR § 207.7). A list of such parties is maintained by the Commission's Secretary and may be obtained by calling 202-205-1803. A certificate of service must accompany the copy of the completed questionnaire(s) you submit (see 19 CFR § 207.7).

## GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS--Continued

### GENERAL INFORMATION--Continued

***Confidentiality.***--The commercial and financial data furnished in response to the enclosed questionnaire(s) that reveal the individual operations of your firm will be treated as confidential by the Commission to the extent that such data are not otherwise available to the public and will not be disclosed except as may be required by law (see 19 U.S.C. § 1677f). Such confidential information will not be published in a manner that will reveal the individual operations of your firm; however, nonnumerical characterizations of numerical business proprietary information (such as discussion of trends) will be treated as confidential business information only at the request of the submitter for good cause shown.

***Verification.***--**The information submitted in the enclosed questionnaire(s) is subject to audit and verification by the Commission. To facilitate possible verification of data, please keep all your workpapers and supporting documents used in the preparation of the questionnaire response(s).**

***Release of information.***--The information provided by your firm in response to the questionnaire(s), as well as any other business proprietary information submitted by your firm to the Commission in connection with the reviews, may become subject to, and released under, the administrative protective order provisions of the Tariff Act of 1930 (19 U.S.C. § 1677f) and section 207.7 of the Commission's Rules of Practice and Procedure (19 CFR § 207.7). This means that certain lawyers and other authorized individuals may temporarily be given access to the information for use in connection with these reviews or other import-injury investigations or reviews conducted by the Commission on the same or similar merchandise; those individuals would be subject to severe penalties if the information were divulged to unauthorized individuals.

### INSTRUCTIONS

***Answer all questions.***--Do not leave any question or section blank unless a questionnaire expressly directs you to skip over certain questions or sections. If the answer to any question is "none," write "none." **If information is not readily available from your records in exactly the form requested, furnish carefully prepared estimates--designated as such by the letter "E"--and explain the basis of your estimates.** Answers to questions and any necessary comments or explanations should be supplied in the space provided or on separate sheets attached to the appropriate page of the questionnaire(s). If your firm is completing more than one questionnaire in connection with these reviews (i.e., a producer, importer, purchaser, and/or foreign producer questionnaire), you need not respond to duplicated questions in the questionnaires.

## GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS--Continued

### INSTRUCTIONS--Continued

***Consolidate all U.S. establishments.***--Report the requested data for your establishment(s) located in the United States. **Firms operating more than one establishment should combine the data for all establishments into a single report.**

### DEFINITIONS

***Certain Preserved Mushrooms.***--The imported products subject to these investigations consist of certain preserved mushrooms, whether imported whole, sliced, diced, or as stems and pieces. The preserved mushrooms covered under the investigations are of the species *Agaricus bisporus* and *Agaricus bitorquis*. "Preserved mushrooms" refers to mushrooms that have been prepared or preserved by cleaning, blanching, and sometimes slicing or cutting. These mushrooms are then packed and heated in containers, including but not limited to cans or glass jars in a suitable liquid medium, including but not limited to water, brine, butter or butter sauce. Preserved mushrooms may be imported whole, sliced, diced, or as stems and pieces. Included within the scope of the antidumping duty orders are "brined" mushrooms, which are presalted and packed in a heavy salt solution to provisionally preserve them for further processing.

Also included in the scope of these investigations are marinated, acidified, or pickled mushrooms containing less than 0.5 percent acetic acid, by weight.

The preserved mushrooms included in the scope of the investigations are provided for in subheadings 0711.51.00 and 2003.10.01 (statistical reporting numbers 2003.10.0127, 2003.10.0131, 2003.10.0137, 2003.10.0143, 2003.10.0147, and 2003.10.0153) of the Harmonized Tariff Schedule (HTS).<sup>1</sup>

The term "certain preserved mushrooms" **does not include**: (1) all other species of mushroom, including straw mushrooms (HTS statistical reporting number 2003.90.0010); (2) all fresh and chilled mushrooms (HTS subheading 0709.51.01), including "refrigerated" or "quick blanched" mushrooms; (3) dried mushrooms (HTS subheadings 0712.31); and (4) frozen mushrooms (HTS subheading 0710.80.20).

***Firm.***--An individual proprietorship, partnership, joint venture, association, corporation (including any subsidiary corporation), business trust, cooperative, trustee in bankruptcy, or receiver under decree of any court.

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<sup>1</sup> Prior to January 1, 2002, the products subject to these investigations were covered by HTS subheadings and statistical reporting numbers 0711.90.4000, 2003.10.0027, 2003.10.0031, 2003.10.0037, 2003.10.0043, 2003.10.0047, and 2003.10.0053.

## **GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS--Continued**

### **DEFINITIONS--Continued**

**Related firm.**--A firm that your firm solely or jointly owned, managed, or otherwise controlled; a firm that solely or jointly owned, managed, or otherwise controlled your firm; and/or a firm that was solely or jointly owned, managed, or otherwise controlled by a firm that also solely or jointly owned, managed, or otherwise controlled your firm.

**Establishment.**--Each facility of a firm in the United States involved in the production, importation, and/or purchase of certain preserved mushrooms (as defined above), including auxiliary facilities operated in conjunction with (whether or not physically separate from) such facilities.

**United States.**--For purposes of these reviews, the 50 States, Puerto Rico, the U.S. Virgin Islands, and the District of Columbia.

**Importer.**--Any person or firm engaged, either directly or through a parent company or subsidiary, in importing certain preserved mushrooms (as defined above) into the United States from a foreign manufacturer or through its selling agent.

**Imports.**--Those products identified for Customs purposes as imports for consumption for which your firm was the importer of record (i.e., was responsible for paying any import duty) or consignee (i.e., to which the merchandise was first delivered).

**Import quantities.**--Quantities reported should be net of returns.

**Import values.**--Values reported should be landed, duty-paid but not including antidumping and/or countervailing duties, at the U.S. port of entry, including ocean freight and insurance costs, brokerage charges, and normal import duties (i.e., including all charges except inland freight in the United States and antidumping and/or countervailing duties).

**Nonsubject imports.**--Imports of certain preserved mushrooms from sources other than Chile, China, India, and Indonesia. Imports from Indonesian producer, PT Zeta Agro Corp. have also been nonsubject since February 1, 2002.

**Purchaser.**--Any person or firm engaged, either directly or through a parent company or subsidiary, in purchasing certain preserved mushrooms (as defined above) from another firm that produces, imports, or otherwise distributes certain preserved mushrooms. Throughout the questionnaires to these reviews, purchasers of certain preserved mushrooms may be categorized as follows:

## **GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS--Continued**

### **DEFINITIONS--Continued**

***Industrial users.***--Purchasers of certain preserved mushrooms that use the product to produce packaged foods. Examples include Stouffers and Heinz.

***Food services users.***--Purchasers that are restaurants and institutional customers as well as distributors to such firms.

***Retail users.***--Purchasers that sell certain preserved mushrooms to individual consumers. Examples include grocery stores, warehouse clubs (Costco, Sam's Club), cross-category discounters (Wal-Mart), convenience stores (7-Eleven), and other retail establishments (CVS, Rite-Aid, Walgreens, etc).

***Purchases.***--Purchases from all sources, NOT including direct imports from foreign producers (which should be reported in an importer questionnaire).

***Purchase quantities.***--Quantities reported should be net of returns.

***Purchase values.***--Values reported should be net values (i.e., gross purchase values less all discounts, allowances, rebates, and the value of returned goods), delivered to your U.S. receiving point.

***Shipments.***--Shipments of products produced in or imported by your U.S. establishment(s). Include shipments to the contracting firm of product produced by your firm under a toll agreement.

***Shipment quantities.***--Quantities reported should be net of returns.

***Shipment values.***--Values reported should be net values (i.e., gross sales values less all discounts, allowances, rebates, prepaid freight, and the value of returned goods), f.o.b. your U.S. point of shipment. The value of domestic shipments to the contracting firm under a toll agreement is the conversion fee (including profit).

### **Types of shipments:**

***U.S. shipments.***--Commercial shipments, internal consumption, and transfers to related firms within the United States.

***Commercial shipments.***--Shipments, other than internal consumption and transfers to related firms, within the United States.

**GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS--Continued**

**DEFINITIONS--Continued**

**Internal consumption.**--Product consumed internally by your firm.

**Transfers to related firms.**--Shipments made to related domestic firms.

**Export shipments.**--Shipments to destinations outside the United States, including shipments to related firms.

**Inventories.**--Finished goods inventory, not raw materials or work-in-progress.

**The following definitions apply only to the PRODUCER QUESTIONNAIRE.**

**Average production capacity.**--The level of production that your establishment(s) could reasonably have expected to attain during the specified periods. Assume normal operating conditions (i.e., using equipment and machinery in place and ready to operate; normal operating levels (hours per week/weeks per year) and time for downtime, maintenance, repair, and cleanup; and a typical or representative product mix).

**Toll agreement.**--Agreement between two firms whereby the first firm furnishes the raw materials and the second firm uses the raw materials to produce a product that it then returns to the first firm with a charge for processing costs, overhead, etc.

**Production.**--All production in your U.S. establishment(s), including production consumed internally within your firm and production for another firm under a toll agreement.

**PRWs.**--Production and related workers, including working supervisors and all nonsupervisory workers (including group leaders and trainees) engaged in fabricating, processing, assembling, inspecting, receiving, storage, handling, packing, warehousing, shipping, trucking, hauling, maintenance, repair, janitorial and guard services, product development, auxiliary production for plant's own use (e.g., power plant), recordkeeping, and other services closely associated with the above production operations.

**Average number employed.**--Add the number of employees, both full-time and part-time, for the 12 pay periods ending closest to the 15th of the month and divide that total by 12.

**Hours worked.**--Include time paid for sick leave, holidays, and vacation time. Include overtime hours actually worked; do not convert overtime pay to its equivalent in straight-time hours.

## **GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS--Continued**

### **DEFINITIONS--Continued**

**Wages paid.**--Total wages paid before deductions of any kind (e.g., withholding taxes, old-age and unemployment insurance, group insurance, union dues, bonds, etc.). Include wages paid directly by your firm for overtime, holidays, vacations, and sick leave.

**Fiscal year.**--The 12-month period between settlement of your firm's financial accounts.

**Continued Dumping and Subsidy Offset Act (Byrd Amendment) funds received.**--Funds disbursed by the Bureau of Customs and Border Protection under the Continued Dumping and Subsidy Offset Act of 2000 (the "Byrd Amendment"). The Byrd Amendment provides for the annual distribution of the duties collected pursuant to antidumping and countervailing duty orders. The distribution is available to "affected domestic producers for qualifying expenditures."

**Purchases other than direct imports.**--Purchases from U.S. producers, U.S. importers, and other U.S. sources.